

Serial No.: 09/855,374
Inventor(s): Ramesh Keshavaraj

U.S. PTO Customer No. 25280
Case No.: 2086B

REMARKS

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Claims 1-8 are currently pending in the application. Currently, all of the claims are under rejection. In the Office Action dated April 5, 2006, (during the discussion of why the prior rejections were maintained) it was stated that Applicant had never defined what is meant by the term substantially rectangular, but had only directed the office to all the drawings and no one in particular. However, no official objection or rejection was made with regard to this terminology. Notwithstanding, Applicant notes that the substantially rectangular panels are shown at 24 and 26 in Fig. 1, Fig. 6 at 24, Fig. 7 at 24, Fig. 8 at 24, 124 and 126 in Fig. 10, 124 and Figs. 15, 16 and 17, 224 and 226 in Fig. 19, and 224 in Figs. 22-25.

Claims 1-8 were rejected under 35 USC 102(b) as being anticipated by EP 0794090 A1 to Morton International. Specifically, the rejection stated that the term "rectilinear means that one fabric is a bit larger and overlaps the second fabric blank". The claims as currently presented state, among other things, at least a first fabric blank of substantially rectangular shape and a second fabric blank connected together through the utilization of at least one seam, that the airbag cushion has a first end and a second end such that the first end is closed and the second end comprises a pocket opening for inflation canister disposition, and wherein at least a portion of the at least one seam is in contact with both of the first and second ends. Morton fails to disclose or even suggest this combination of features, nor did the Office Action explain how the claimed structure is purported to be achieved by the Morton reference. In fact, the Morton reference doesn't even show the construction of the bag, rather it is simply directed to an attachment section for connecting the main body of a bag to an inflator. (see e.g. Morton Claim 1.) As noted in the last Response, MPEP § 2131 sets forth that an anticipation rejection requires that every element be disclosed in a single prior art reference. Furthermore, the identical invention must be shown in as complete detail as is contained in the claim and the elements must be arranged as required by the claim. It is maintained that each element is not disclosed by Morton, and it is requested that the rejection be withdrawn.

Claims 1-8 were rejected under 35 USC 102(b) as being anticipated by US Patent No. 6,168,203 to Amamori. Amamori is directed to an airbag made from two irregularly shaped panels, which are similarly shaped relative to each other. Among other differences, there is no disclosure or suggestion of a fabric blank that is substantially rectangular in shape. Therefore, Amamori cannot anticipate the claimed invention, because it does not disclose each invention of the claims. Thus, it is respectfully requested that the rejection be withdrawn.

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Claims 1-8 were rejected under 35 USC 102(b) as being anticipated by USPN 4,944,529 to Backhaus. Although the Office Action notes that rectangular or trapezoidal web members used, there is no disclosure or suggestion of a construction such as that set forth in Applicant's claims. For Example, the preferred Backhaus embodiment set forth in Figs. 2-5 and Col. 3, line 65- Col. 4, lines 55 describe a bag made from a single rectangular panel that is folded over on itself to form an airbag. There is no mention of a second panel such as that set forth in the instant claims. In the trapezoidal embodiments shown in Figs. 6-14 of Backhaus, there is no provision of a substantially rectangular shaped panel of the variety claimed by Applicant. As noted previously, to sustain a rejection under Section 102(b), all of the elements must be disclosed in a single prior art reference, and the elements must be arranged as required by the claim. Here there is no such teaching of the claimed invention. Therefore, it is requested that the rejection be withdrawn.

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CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and a notice to that effect is earnestly solicited. Should the Examiner find that any issues remain outstanding following consideration of this Response, she is invited to telephone the undersigned in the interest of resolving such matters in an expedient manner.

Respectfully submitted,



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